



CRAWFORD MAUNU PLLC

United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **BIOPOTENTIAL SIGNAL SOURCE SEPARATION USING SOURCE IMPEDANCES.**

The specification of which

- a. ☐ is attached hereto  
 b. ☒ is entitled **BIOPOTENTIAL SIGNAL SOURCE SEPARATION USING SOURCE IMPEDANCES**, having attorney docket number **GUID.607PA**.  
 c. ☒ was filed on April 8, 2004 as application serial no. 10/821,206 and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.  
 b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
50/462,272	April 11, 2003

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Hollingsworth, Mark A.  
Davis, Clara  
Maunu, LeRoy D.  
Lynch, David  
Tyler L. Nasiedlak  
Lori J. Heinrichs

Reg. No. 38,491  
Reg. No. 50,495  
Reg. No. 35,274  
Reg. No. 36,204  
Reg. No. 40,099  
Reg. No. 43,667

Funk, Steven R.  
Crawford, Robert J.  
Curtin, Eric J.  
Bryan K. Phillips  
Richard R. Clapp

Reg. No. 37,830  
Reg. No. 32,122  
Reg. No. 47,511  
Reg. No. 46,990  
Reg. No. 31,751

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Crawford Maunu PLLC.

Please direct all correspondence in this case to Crawford Maunu PLLC at the address indicated below:

Crawford Maunu PLLC  
1270 Northland Drive, Suite 390  
St. Paul, Minnesota 55120

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

See Attachment for  
Official Notarization

2	Full Name Of Inventor	Family Name KAMATH	First Given Name APURV	Second Given Name
0	Residence & Citizenship	City SOLANA BEACH	State or Foreign Country CALIFORNIA	Country of Citizenship USA
1	Post Office Address	Post Office Address 143 S RIOS AVE	City SOLANA BEACH	State & Zip Code/Country CA/92075/USA
Signature of Inventor 201:			Date: 5/27/04	
2	Full Name Of Inventor	Family Name WAGNER	First Given Name DARRELL	Second Given Name ORVIN
0	Residence & Citizenship	City ISANTI	State or Foreign Country MINNESOTA	Country of Citizenship USA
2	Post Office Address	Post Office Address 26350 CHISHOLM ST. NE.	City ISANTI	State & Zip Code/Country MN/55040/USA
Signature of Inventor 202:			Date: 4/28/2004	
2	Full Name Of Inventor	Family Name HAEFNER	First Given Name PAUL	Second Given Name
0	Residence & Citizenship	City CIRCLE PINES	State or Foreign Country MINNESOTA	Country of Citizenship USA
3	Post Office Address	Post Office Address 252 COBBLER COURT	City CIRCLE PINES	State & Zip Code/Country MN/55014/USA
Signature of Inventor 203:			Date:	

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of

San Diego

} ss.

On May 27, 2004 before me, Douglas L Ess, Notary Public

Date

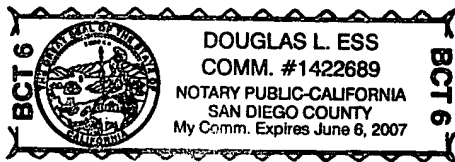
Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Aparv Kamath

Name(s) of Signer(s)

☐ personally known to me

☒ proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Douglas L Ess

Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: Combined Declaration and Power of Attorney

Document Date: as signed Number of Pages: 2

Signer(s) Other Than Named Above: Darrell Orvin Wagner, Paul Haefner

**Capacity(ies) Claimed by Signer**

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

**RIGHT THUMBPRINT  
OF SIGNER**

Top of thumb here

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:



• Hollingsworth, Mark A.	Reg. No. 38,491	Funk, Steven R.	Reg. No. 37,830
Davis, Clara	Reg. No. 50,495	Crawford, Robert J.	Reg. No. 32,122
Maunu, LeRoy D.	Reg. No. 35,274	Curtin, Eric J.	Reg. No. 47,511
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Tyler L. Nasiedlak	Reg. No. 40,099	Richard R. Clapp	Reg. No. 31,751
Lori J. Heinrichs	Reg. No. 43,667		


I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Crawford Maunu PLLC.

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1270 Northland Drive, Suite 390  
St. Paul, Minnesota 55120

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	<b>Full Name Of Inventor</b>	<b>Family Name</b> KAMATH	<b>First Given Name</b> APURV	<b>Second Given Name</b>
0	<b>Residence &amp; Citizenship</b>	<b>City</b> SOLANA BEACH	<b>State or Foreign Country</b> CALIFORNIA	<b>Country of Citizenship</b> USA
1	<b>Post Office Address</b>	<b>Post Office Address</b> 143 S RIOS AVE	<b>City</b> SOLANA BEACH	<b>State &amp; Zip Code/Country</b> CA/92075/USA
Signature of Inventor 201:			Date:	
2	<b>Full Name Of Inventor</b>	<b>Family Name</b> WAGNER	<b>First Given Name</b> DARRELL	<b>Second Given Name</b> ORVIN
0	<b>Residence &amp; Citizenship</b>	<b>City</b> ISANTI	<b>State or Foreign Country</b> MINNESOTA	<b>Country of Citizenship</b> USA
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0	<b>Residence &amp; Citizenship</b>	<b>City</b> CIRCLE PINES	<b>State or Foreign Country</b> MINNESOTA	<b>Country of Citizenship</b> USA
3	<b>Post Office Address</b>	<b>Post Office Address</b> 252 COBBLER COURT	<b>City</b> CIRCLE PINES	<b>State &amp; Zip Code/Country</b> MN/55014/USA
Signature of Inventor 203: 			Date: <u>5/5/2004</u>	

2	Full Name Of Inventor	Family Name BROCKWAY	First Given Name MARINA	Second Given Name
0	Residence & Citizenship	City SHOREVIEW	State or Foreign Country MINNESOTA	Country of Citizenship UKRAINE
4	Post Office Address	Post Office Address 4339 NANCY PLACE	City SHOREVIEW	State & Zip Code/Country MN/55126/USA
Signature of Inventor 204: 			Date: 05/24/2009	

#### § 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application:

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.